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ANN BAVENDER*
ANNE GOODWIN CRUMP*
VINCENT J. CURTIS, JR.
RICHARD J. ESTEVEZ
PAUL J. FELDMAN
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RICHARD HILDRETH
FRANK R. JAZZO
ANDREW S. KERSTING*
KATHRYN A. KLEIMAN
EUGENE M. LAWSON, JR.
HARRY C. MARTIN
J. TODD METCALF*
GEORGE PETRUTSAS
LEONARD R. RAISH
JAMES P. RILEY
KATHLEEN VICTORY
HOWARD M. WEISS
*NOT ADMITTED IN VIRGINIA

FLETCHER, HEALD & HILDRETH, P.L.C.

ATTORNEYS AT LAW
11th FLOOR, 1300 NORTH 17th STREET
ROSSLYN, VIRGINIA 22209-3801

(703) 812-0400

TELECOPIER

(703) 812-0486

INTERNET

office@fhh-telcomlaw.com

FRANK U. FLETCHER
(1939-1985)
ROBERT L. HEALD
(1956-1983)
PAUL D. P. SPEARMAN
(1936-1982)
FRANK ROBERSON
(1936-1961)
RUSSELL ROWELL
(1948-1977)

RETIRED
EDWARD F. KENEHAN

CONSULTANT FOR INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS
SHELDON J. KRYS
U. S. AMBASSADOR (ret.)

OF COUNSEL
EDWARD A. CAINE*

WRITER'S NUMBER
(703) 812-

RECEIVED

JUN 20 1997

June 20, 1997

Federal Communications Commission
Office of Secretary

BY HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Amendment of Section 73.202(b)
Canton and Glasford, Illinois

Dear Mr. Caton:

Transmitted herewith, on behalf of Neil A. Rones and Luann C. Dahl, permittee of a new FM broadcast station on Channel 266A at Canton, Illinois, (File No. BPH-951011MA) are an original and four copies of their "Petition for Rule Making" to reallocate Channel 266A from Canton to Glasford, Illinois, and modify their construction permit to specify the new community.

Should any questions arise concerning this matter, please communicate with the undersigned.

Very truly yours,

FLETCHER, HEALD & HILDRETH, P.L.C.

Frank R. Jazzo
Frank R. Jazzo
Counsel for Neil A. Rones and Luann C. Dahl

Enclosures

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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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JUN 20 1997

*Federal Communications Commission
Office of Secretary*

In the Matter of)	
)	
Amendment of Section 73.202(b))	MM Docket No. 97-____
Table of Allotments,)	RM-_____
FM Broadcast Stations.)	
(Canton and Glasford, Illinois))	

PETITION FOR RULE MAKING

Neil A. Rones and Luann C. Dahl ("Rones & Dahl"), permittee of Channel 266A in Canton, Illinois (BPH-951011MA), hereby respectfully request that Channel 266A be reallocated from Canton, Illinois, to Glasford, Illinois, as that community's first aural service, and that their construction permit be modified to specify operation at Glasford. With respect thereto, the following is submitted:

1. Rones & Dahl propose the re-allotment of Channel 266A to Glasford as that community's first local broadcast transmission service. This proposed re-allotment of Channel 266A is mutually exclusive with the current allotment, and it is in full compliance with the Commission's distance separation requirements.

2. Glasford, Illinois, is listed by the United States Census Bureau with a 1990 population of 1,115 persons. The Village has its own local government with a Mayor and City Council for its local government and has a Village Hall building to serve its citizens. Glasford has a Post Office and its own Zip Code, 61533.

3. Glasford, Illinois, maintains both water and sewer plants to serve the

municipality. Telephone service is provided to the citizens of Glasford by the Glasford Telephone Company. Glasford has a Public Library, a Public Municipal Park, and provides public safety through a Volunteer Fire Department with over 20 firefighters and a Police Department with nine officers.

4. Education of the citizens of Glasford is provided by an Elementary School (Lancaster West Elementary School), a Middle School (Glasford Middle School), and a High School (Illini Bluffs High School). Glasford is home to numerous businesses, banks, churches, and civic organizations and has all of the attributes normally associated with a Midwestern city.

5. The re-allotment of Channel 266A from Canton, Illinois, to Glasford, Illinois, would result in a preferential arrangement of allotments under the Commission's FM allotment priorities, as it would provide a first local transmission service to Glasford without removing the sole local service from Canton.¹ While Glasford currently has no local aural service, Canton now is the city of license of WBYS(AM), WBYS-FM, the Rones & Dahl Construction Permit for Channel 266A, and is the subject of a Petition for Rule Making (RM-8894) to add a fourth local service.

6. The re-allotment of Channel 266A from Canton to Glasford is also a preferable allotment² as the 60 dBu contour of a Glasford station would provide service to substantially more people. From the requested allotment reference co-ordinates, the proposed facility would provide an increase in population of 88,330 persons over the BPH-951011MA Canton facility, an

¹ See *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88, 91 (1982).

² *Id.*

increase of sixty-seven percent (67%).

7. Thus, the proposed re-allotment to Glasford meets all of the requirements for a change in community of license as set forth in *Modification of FM and TV Authorizations to Specify a New Community of License*, 5 FCC Rcd 7094 (1990). As set forth above, this proposal would serve the Commission's FM allotment priorities by providing a first local transmission service to Glasford and by providing new service to an increased number of persons.

Furthermore, as the change in community involves a construction permit rather than a licensed facility, the community of Canton would not lose an established service. *Woodville and Liberty, Mississippi; Clayton and Jena, Louisiana*, 11 FCC Rcd 4712 (M.Med.Bur. 1996).

8. Glasford is an independent community not located within any urbanized area. While Glasford is located in Peoria County, Illinois, it is not located within the Peoria Urbanized Area as established by the United States Census Bureau. In addition, the proposed Glasford allotment would provide neither 60 dBu coverage of 100 percent of the Peoria Urbanized Area nor 70 dBu coverage of 50 percent or more of the Urbanized Area. Thus, Glasford may be presumed to be an independent community worthy of a first local service preference. *Greenfield and Del Ray Oaks, California*, 11 FCC Rcd 12681 (M.Med.Bur. 1996); *Headland, Alabama and Chattahoochee, Florida*, 10 FCC Rcd 10352 (M.Med.Bur. 1995). Furthermore, Glasford has other attributes which demonstrate its independence from the Peoria Urbanized Area, such as its own police and fire protection, municipal government, water and sewer services, and telephone company. Thus, the proposed Glasford allotment must receive a first local service preference.

9. As reflected in the attached Engineering Statement, the proposed re-allotment to Glasford is in compliance with the Commission's distance separation requirements as set forth in

Section 73.207 of the Commission's Rules. The re-allotment of Channel 266A to Glasford is mutually exclusive with the current allotment of the channel at Canton, Illinois, as the proposed reference coordinates for Glasford are only 11.64 kilometers from the Canton site. The Commission's distance separation rules require a separation of at least 115 kilometers between co-channel Class A stations. The proposed reference co-ordinates are located within Glasford, thus the proposed Glasford FM station will be able to satisfy the principal community coverage requirement of Section 73.315 of the Commission's Rules.

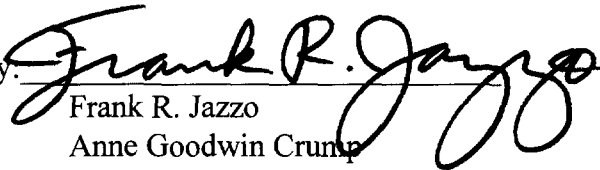
10. In sum, the proposed re-allotment of Channel 266A to Glasford, Illinois, would result in a preferential arrangement of the FM Table of Allotments. The community of Glasford would receive its first local broadcast transmission service. The station would serve a significantly greater number of persons (an increase of 67 percent). Assuming the re-allotment were permitted, Canton would still have two local broadcast transmissions services, and a third service if RM-8894 is adopted.

11. If the proposed reallocation of Channel 266A to Glasford is made as requested, Rones & Dahl will promptly prepare and file an application for modification of their construction permit to reflect the new community. Upon grant of the construction permit, Rones & Dahl will expeditiously construct and place into operation their proposed station.

WHEREFORE, the premises considered, Rones & Dahl respectfully requests that Channel 266A be reallocated from Canton, Illinois, to Glasford, Illinois, and that their construction permit be modified to specify operation at Glasford.

Respectfully submitted,

NEIL A. RONES AND LUANN C. DAHL

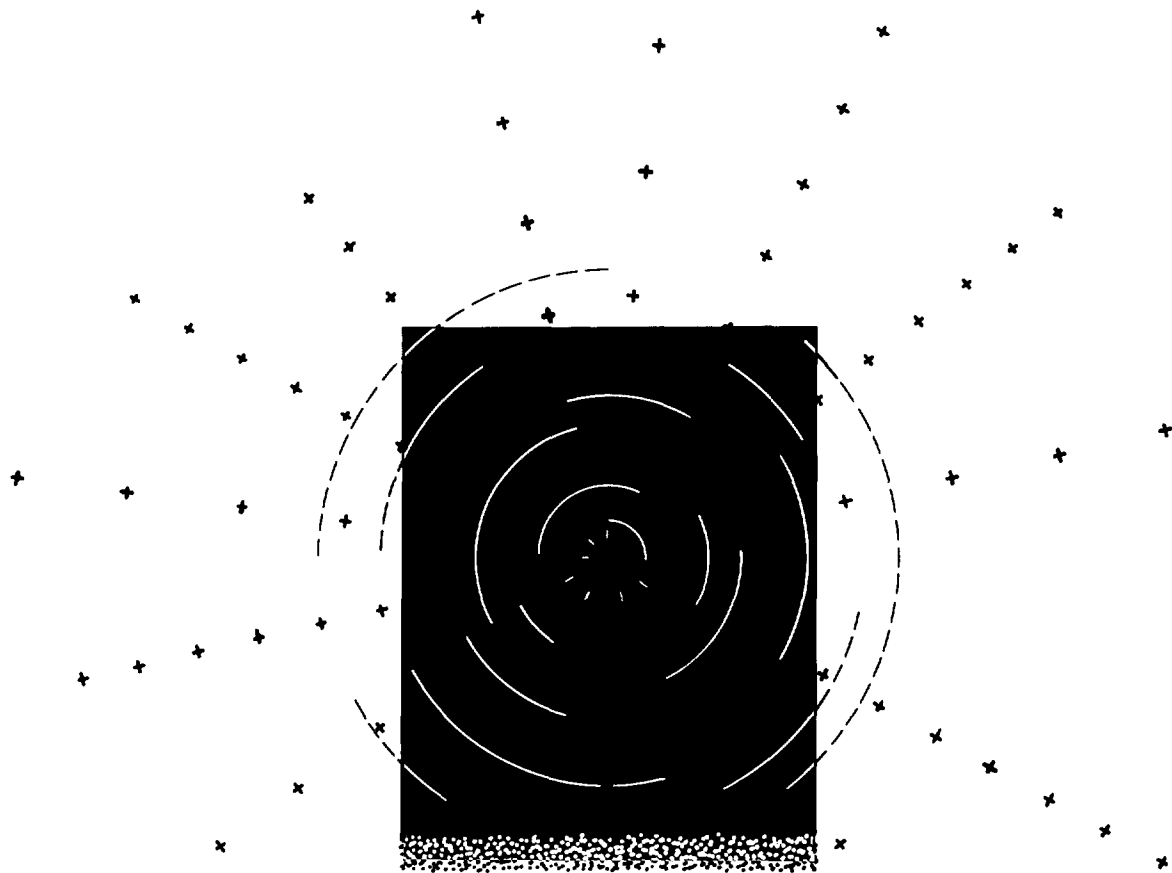
By: 
Frank R. Jazzo
Anne Goodwin Crump

Their Attorneys

FLETCHER, HEALD & HILDRETH, P.L.C.
1300 North 17th Street, 11th Floor
Rosslyn, Virginia 22209
(703) 812-0400

June 20, 1997

agc#97/petrm.r&d



WHEELER BROADCAST CONSULTING

Neil A. Rones & Luann C. Dahl

Petition for Rule Making

Rule Making to:

Specify a New Community of License
Channel 266 A
Glasford, IL

June - 1997



WHEELER BROADCAST CONSULTING

Engineering Statement

This consultant has been retained by Neil A. Rones and Luann C. Dahl (Rones & Dahl), permittee of Channel 266A in Canton, Illinois (BPH-951011 MA), for the purpose of preparing the technical portion of a proposed Rule Making seeking an amendment to 47 CFR 73.202(b) specifying the re-allocation of Channel 266A from Canton, Illinois to Glasford, Illinois as that community's first local aural service.

The United States Census Bureau lists the coordinates of Glasford, Illinois as 40° 34' 20" N by 89° 48' 47" W. A full search of the Commission's May 30, 1997 FM database reveals that Channel 266A can be allocated to Glasford, mutually exclusive with BPH-951011 MA, at the reference coordinates of Glasford, in complete compliance with the minimum distances set forth in 47 CFR 73.207. A copy of the database search is included in this report as Exhibit 1. From the community reference coordinates the contours of a hypothetical class A facility (6 kW at 100m HAAT) were predicted and plotted on a digitally generated map. A copy of that map is included in this report as Exhibit 2. As shown in Exhibit 2, the entire corporate boundaries of Glasford would receive a signal from such a facility that far exceeds the 70 dBu minimum required by 47 CFR 73.315.

Glasford, Illinois

6025 MARTWAY
SUITE 112
MISSION, KS 66202
913.362.7282
913.362.7287

Glasford, Illinois is listed by the United States Census Bureau with a 1990 population of 1,115 persons. The Village has its own local government with a Mayor and City Council for of local government and has a Village Hall building to serve its citizens. Glasford has a Post Office and its own Zip Code, 61533. Glasford maintains both water and sewer plants to serve the municipality. Telephone service is provided to the citizens of Glasford by the Glasford Telephone Company. Glasford has a Public Library, a Public Municipal Park, and provides public safety through a Volunteer Fire Department with over 20 firefighters and a Police Department with 9 officers.

Education of the citizens of Glasford is provided by an Elementary School (Lancaster West Elementary School) a Middle School (Glasford Middle School) and a High School (Illini Bluffs High School). Glasford is home to numerous businesses, banks, churches, and civic organizations and has all of the attributes normally associated with a midwestern city.

Allocation Considerations

The Commission's allocation priorities¹ are as follows:

- 1) First Fulltime Aural Service.
- 2) Second Fulltime Aural Service.
- 3) First Local Service.
- 4) Other Public Interest Matters.

Both Glasford and Canton receive in excess of ten aural services and, as such, priorities one and two are not applicable in either case. The proposed change in city of license from Canton, Illinois to Glasford, Illinois is, however, a preferable allocation as it triggers priority three of the allocation priorities since it provides a First Local Service to Glasford while not removing the sole local service from Canton. Canton, Illinois is the city of license of WBYS AM, WBYS FM, the Rones and Dahl Construction Permit for Channel 266A, and is the subject of a proposed Rule Making (RM-8894) to add yet a fourth local service to Canton. The proposed Glasford, Illinois re-allocation is further preferable as it triggers priority four in that the population served by the 60 dBu contour of the allocation reference facility would exceed the BPH-951011 MA Canton facilities by 88,330 persons, an increase of 67%².

Urbanized Area Considerations

Glasford, Illinois is located in Peoria County, Illinois but is not located within the Peoria Urbanized Area as established by the United States Census Bureau. A copy of a map, detailing the Peoria Urbanized Area, is included in this report as Exhibit 3. From Exhibit 3 we find that the proposed Glasford allocation is, at its nearest point, 12 km distant from the Peoria Urbanized Area.

¹ See 90 FCC 2d 88, 91 (1982)

² The population served by BPH-951011 MA is 131,712 persons according to the 1990 US Census, the population served by the Glasford, Illinois reference facility is 220,042 persons.

The Urbanized Area was transferred to a digitally generated map which draws its data from the Delorme Mapping, Map Expert, files and the predicted 60 dBu and 70 dBu service contours of the Glasford reference facility were overlaid on that map. A copy of that map is included in this report as Exhibit 4. From Exhibit 4, it was determined that the 60 dBu contour of the Glasford reference facility would encompass 59% of the Peoria Urbanized Area and the 70 dBu contour would encompass 12.2% of the Peoria Urbanized Area. Based on historical Commission rulings pertaining to city of license changes we find two standards that have been applied as it relates to urbanized areas and first local service preferences. The first standard is 60 dBu service to an entire urbanized area. In the case of the Glasford, Illinois allocation proposed herein, the 60 dBu contour of the allocation reference facility would encompass 59% of the Peoria Urbanized Area, less than 100%. The second, and current, standard is 50% "city grade" coverage of the urbanized area. The Glasford, Illinois reference facility provides 70 dBu service to just 12.2% of the Peoria Urbanized Area.

Under either established standard of evaluation of first local service preference near an urbanized area, the proposed Glasford allocation does not meet the 100% 60 dBu nor the 50% 70 dBu thresholds.

Glasford, Illinois is an Independent Community.

Glasford, Illinois is a community that is independent from the Peoria Urbanized Area. The Village of Glasford has a municipal government that is unique to Glasford and serves no other city or area. Glasford provides both water and sewer services to its citizens and is not dependent upon such services from the Peoria Urbanized Area. Telephone services are provided by the Glasford Telephone Company which serves Glasford, the adjoining Village of Kingston Mines and some of the rural areas near Glasford. The Glasford Telephone Company provides a unique directory for its service area and Glasford telephone numbers are not listed in the Peoria directory. The Glasford Public Schools are a part of consolidated District 327 which is not included in the Peoria Urbanized Area.

Conclusion

Glasford, Illinois is an independent, incorporated, community that is deserving of its first local aural service. The proposed substitution of Channel 266 A from Canton, Illinois to Glasford, Illinois will provide that service. Accordingly, it is respectfully requested that 47 CFR 73.202(b), the Commission's Table of Allotments, be amended to read as follows:

Community	Present	Proposed
Canton, IL	252 A ³ , 266 A, 300 B1	252 A, 300 B1
Glasford, IL	-----	266A

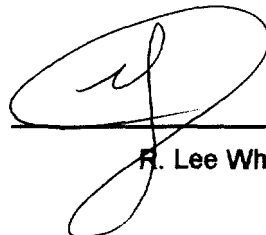
Methodology

All information for FM facilities was gleaned from the May 30, 1997 release of the Commission's FM database. All height above average terrain calculations were based on 8 cardinal radials as set forth in 47 CFR 73.313 and terrain data was extracted by a linear interpolation of the NGDC 30 second terrain database. Predicted service contours were based on 360 evenly spaced radials and population determinations were based on a digital overlay of minor civil subdivision data as provided by the PL-94-171 census data files. The census files draw data from the 1990 US Census and the algorithm assumes uniform population distribution when only a portion of a minor civil subdivision is encompassed. Area determinations were measured by employing a K&E model 620000 Polar Planimeter.

Certification

All information contained in this report is true and accurate to the best of my belief. Having had numerous matters before the Commission, my qualifications are a matter of record.

6/11/97
Date


R. Lee Wheeler

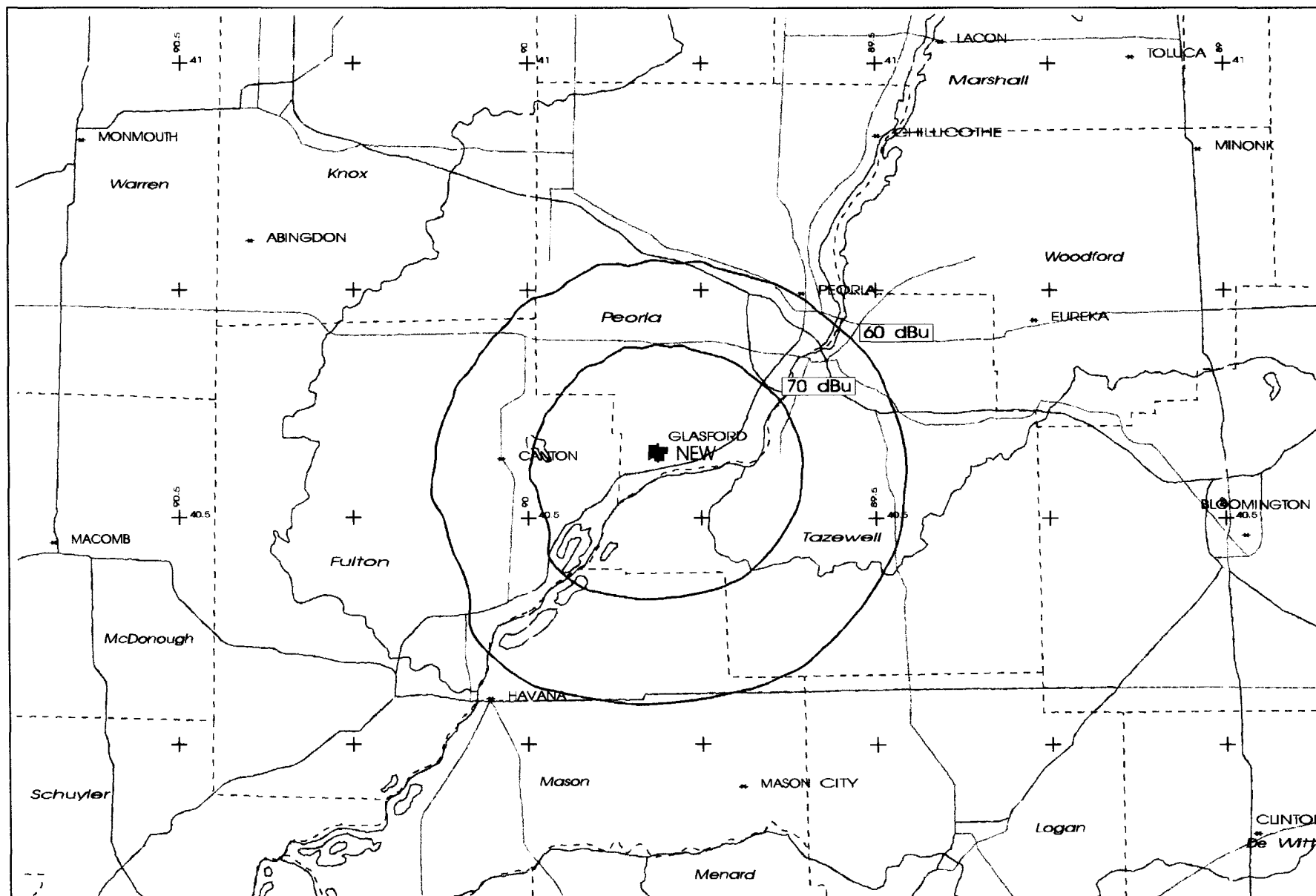
³ Channel 252 A is currently occupied by WBYS-FM which has received authority to move to Channel 300 B1. RM-8894 seeks the re-allocation of Channel 252A to Canton, Illinois.

WHEELER BROADCAST CONSULTING
6025 Martway - Suite 112 - Mission KS 66202

Neil Rones & Luanne Dahl
Glasford, IL

REFERENCE	CLASS A	DISPLAY DATES
40 34 20 N		DATA 05-30-97
89 48 47 W	Current rules spacings	SEARCH 06-03-97
----- CHANNEL 266 -101.1 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
CP266	266A	Canton	IL	293.4	11.64	115.0	-103.36 *
CP CN	40 36 49	89 56 22	6.000 kW	100M	7.2	71.5	
	Neil A. Rones and Luann C. Da				BPH951011MA		980423
WBNQ	268B	Bloomington	IL	100.3	69.17	69.0	0.17 <
LI CN	40 27 32	89 00 38	50.000 kW	140M	43.0	42.9	
	Twin Cities Broadcasting Corp				BLH780803AC		
WBNQ.A	268B	Bloomington	IL	101.1	69.26	69.0	0.26 <
AP CN	40 27 01	89 00 42	50.000 kW	142M	43.0	42.9	
	Twin Cities Broadcasting Corp				BPH970325ID		
WVIL.A	267A	Virginia	IL	215.5	76.04	72.0	4.04
AP ZCN	40 00 52	90 19 55	4.000 kW	119M	47.3	44.8	
	Mark J. Langston				BMPH970122ID		
WVIL.C	267A	Virginia	IL	215.6	76.94	72.0	4.94
CP ZCN	40 00 29	90 20 18	6.000 kW	100M	47.8	44.8	
	Mark J. Langston				BPH950213MF		970918
WLLRFM	267B	East Moline	IL	341.0	123.14	113.0	10.14
LI CN	41 37 10	90 17 41	50.000 kW	152M	76.5	70.2	
	Mississippi Valley Broadcasti				BLH6977		
>Station is changing class to C2 via application to move antenna sit							
>Zone 2 in Iowa.							
WLLRFM	267C2	East Moline	IL	337.2	128.03	106.0	22.03
CPM CN	41 37 58	90 24 38	12.500 kW	299M	79.6	65.9	
	Mississippi Valley Broadcasti				BMPH951120IM		970425
>From Channel 267B, Antenna is Located in Iowa, Zone II. Allotment							
>reclassified from Class B to Class C2 when a license is granted to							
>the Class C2 construction permit.							
WLRZ	265A	Peru	IL	35.3	98.37	72.0	26.37
LI CN	41 17 32	89 07 58	1.000 kW	140M	61.1	44.8	
	Valley Plus Broadcasting, Inc				BLH810514AE		
WYMG	263B	Jacksonville	IL	185.2	101.59	69.0	32.59
LI DEN	39 39 40	89 55 18	50.000 kW	150M	63.1	42.9	
	Saga Communications of Illino				BLH851226KC		



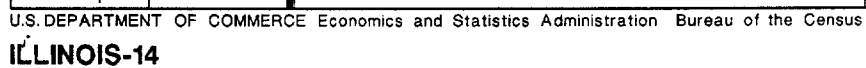
Proposed Glasford Allocation

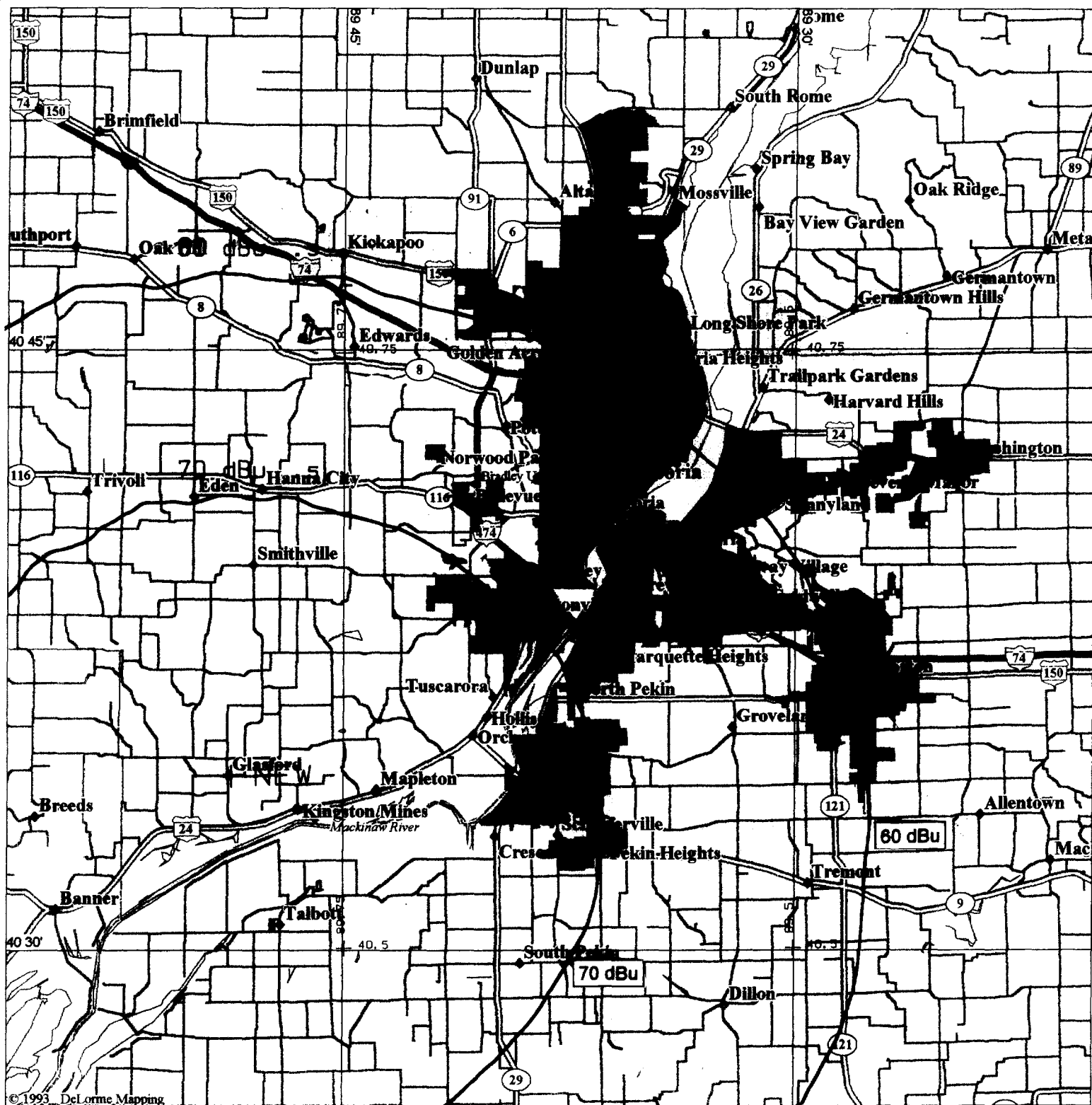
N. Lat. 40 34 20

W. Long. 89 48 47

EXHIBIT 2

L. WHEELER - 06/97

Exhibit 3



- | | | |
|------------------------|----------------------|--------------|
| ○ State Route | County Boundary | □ Land Mass |
| ■ Geo Feature | Population Center | □ Open Water |
| ◆ Town, Small City | — Major Street/Road | |
| ◆ Large City | — Interstate Highway | |
| — Interstate, Turnpike | — State Route | |
| — US Highway | — US Highway | |
| ✈ Airfield | — Airfield | |

Mag 11.00
Wed Jun 04 13:14:53 1997

Scale 1:250,000 (at center)

5 Miles

5 KM

Exhibit 4